

Message Text

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PAGE 01 DACCA 00337 180501Z
ACTION NEA-10

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R 170955Z JAN 78
FM AMEMBASSY DACCA
TO SECSTATE WASHDC 7782

UNCLAS DACCA 0337

FOR: NEA/EX; INFO CA/SCS

E.O. 11652 : N/A
TAGS : CASC
SUBJECT : GENERAL LEGAL PROBLEMS ENCOUNTERED BY
 AMERICAN CITIZENS ABROAD

REF : A. A-4386 OF NOVEMBER 1, 1977
 B. A-4446 OF NOVEMBER 3, 1977
 C. STATE 288400

1. POST IS IN THE PROCESS OF COMPILING INFORMATION ABOUT
LEGAL PROCEDURES IN BANGLADESH WHICH COULD IMPINGE ON
AMERICAN CITIZENS. BECAUSE OF THE SOMEWHAT CONFUSED
STATE OF BANGLADESHI LAW (RESULTING FROM OVERLAPPING
JURISDICTION OF MARTIAL LAW ADMINISTRATION AND THE CONS-
TITUTION), THIS PROCESS COULD NOT BE COMPLETED BY THE
DATES REQUESTED IN REFS A AND B.

2. AT PRESENT, ONLY RECURRENT ISSUES BETWEEN PRIVATE AMCITS
AND THE BDG INVOLVE VISA ISSUANCE AND EXTENSION, RESIDENCE
PERMITS, ETC. SUCH MATTERS ARE USUALLY HANDLED DIRECTLY BET-
WEEN INDIVIDUAL AMCITS AND THE BDG, OR IF THIS PROVES IN-
EFFECTIVE, THROUGH DIPLOMATIC CHANNELS. ARRESTS AND OTHER
LEGAL MATTERS INVOLVING CONSULAR REPRESENTATION HAVE BEEN RE-
LATIVSNY INFREQUENT.

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3. IN ACCORDANCE WITH 2 FAM 283, WE REQUEST AUTHORIZATION
TO HIRE LOCAL COUNSEL TO ADVISE AND ASSIST IN THE PROCESS OF
ASSEMBLING INFORMATION ON BANGLADESHI LEGAL PROCEDURES. SPE-
CIFIC INFORMATION REQUESTED UNDER 2 FAM 283.4 FOLLOWS:

A. FACTUAL SITUATION OUT OF WHICH LEGAL QUESTIONS
HAVE ARISEN: AS NOTED ABOVE BECAUSE OF THE

COMPLEXITY OF LEGAL SYSTEM AND THE LACK OF READILY AVAILABLE INFORMATION ABOUT IT, THE ASSISTANCE OF AN EXPERIENCED PROFESSIONAL IS ESSENTIAL.

B. NAME AND ADDRESS OF ATTORNEY WHOSE SERVICES ARE DESIRED: NAZMUL HUDA, BARRISTER-AT-LAW, ROOM 836, HOTEL PURBANI INTERNATIONAL, DILKUSHA COMMERCIAL AREA, DACCA.

C. BACKGROUND, QUALIFICATIONS, AND EXPERIENCE: MR. HUDA RECEIVED HIS LEGAL EDUCATION IN THE UNITED KINGDOM, AND HAS PRACTICED LAW IN DACCA FOR NINE YEARS. HE IS AUTHORIZED TO PRACTICE BEFORE ALL COURTS OF BANGLADESH. HE PROVIDES LEGAL SERVICES TO SEVERAL OTHER EMBASSIES, AND HAS ASSISTED THE AMERICAN INTERNATIONAL SCHOOL OF DACCA AND THE U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT ON SEVERAL OCCASIONS. HE IS INCLUDED IN THE LATEST REVISION OF THE POST'S LIST OF LOCAL ATTORNEYS PREPARED UNDER 7 FAM 873.

D. COMPARATIVE STANDING OF ATTORNEY INDICATED BY HIS REPUTATION AND RATING AS GIVEN IN ANY PROFESSIONAL RATING SERVICE AVAILABLE: NO SUCH PROFESSIONAL RATING SERVICE EXISTS IN BANGLA-
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DESH, BUT MR. HUDA IS FREQUENTLY USED BY FOREIGN FIRMS AND ORGANIZATIONS, AND HE IS HIGHLY REGARDED BY THESE GROUPS.

E. ESTIMATED COST OF SERVICES AND LENGTH OF TIME REQUIRED: COST OF SERVICES IS ESTIMATED TO BE TAKA 150 (\$10 U.S.) PER HOUR. AMOUNT OF TIME NECESSARY CANNOT BE PINPOINTED UNTIL AFTER PRELIMINARY RESEARCH HAS BEEN COMPLETED, BUT WE DO NOT ANTICIPATE THAT PROJECT WOULD TAKE MORE THAN TEN HOURS OF THE ATTORNEY'S TIME.
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